

**REMARKS**

Claims 1-5 are canceled. Claims 6-10 are pending.

**Objection to the Specification**

The Examiner objected to paragraphs [0001] and [0015] of the specification. Applicant has amended those paragraphs in accordance with the Examiner's comments in the Office Action.

**Claim Rejections – 35 USC 112**

Claim 8 is rejected under 35 USC 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Applicant has amended Claims 8 to correct the issues that the Examiner raised.

**Claim Rejections – 35 USC 103**

Claims 6-10 are rejected under 35 USC 103(a) as being unpatentable over Koibuchi (6,405,116) and Jonner et al. (4,852,009).

Applicant respectfully submits that that the cited combination of references does not provide all of the elements of independent Claims 6 and 10 and therefore does not support a *prima facie* case of obviousness. Independent Claims 6 and 10 recite, in pertinent part, "pressure modulation performed on both rear wheels is adopted from the pressure modulation on the at least one front wheel without substantial changes." Stated differently, the pressure modulation on the rear wheels is substantially the same as the pressure modulation of one of the front wheels.

The Examiner relies on Koibuchi, col. 6, lines 15-36 to provide the aforementioned claim elements when in actuality Koibuchi appears to teach away, or is at least opposite

in operation, from the Applicant's claim language. With regard to the relationship between front and rear brake torques, *Koibuchi*, at col. 6, lines 27-36, teaches an *inversely proportional relationship* instead of one that is proportional or substantially the same. Jonner does not appear to make up for Koibuchi's shortcoming as a reference. Their combination therefore does not provide all elements of Claims 6 and 10 and does not support a *prima facie* case of obviousness. Claims 6 and 10 are believed to be in a condition for allowance.

Claims 7-9 depend either directly or indirectly from independent Claim 6 and are believed to be in condition for allowance for at least the same reason as Claim 6.

### **CONCLUSION**

Accordingly, Applicant believes that the claims as amended overcome the raised objections and rejections and are in a condition for allowance.

Respectfully submitted,

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